

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The office action dated June 16, 2004 has been received and its contents carefully reviewed.

Claims 7 and 9-16 remain in the application. Claim 11 is amended, and claims 12-16 are newly added.

In the Office Action, claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite and objected to as being of improper dependent form; claims 7, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,825,449 to Shin (“Shin ‘449”) in view of U.S. Patent No. 5,963,279 to Taguchi (“Taguchi”); and claims 7 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,737,049 to Shin (“Shin ‘049”) in view of Taguchi and further in view of Shin ‘449.

Claim 11 has been amended to overcome the rejection under 35 U.S.C. 112, second paragraph, as being indefinite and the objection as to improper dependent form. Therefore, Applicant respectfully requests that the Examiner withdraw this objection.

The rejection of claims 7, 10, and 11 under 35 U.S.C. 103(a) as being unpatentable over Shin ‘449 in view of Taguchi is respectfully traversed and reconsideration is requested. Claims 7, 10, and 11 are allowable over the cited references in that this claim recites a combination of elements including, for example, “a passivation layer covering the data wire and the thin film transistor, except the drain electrode, the passivation layer being covered by the pixel electrode, the passivation layer exposing the gate insulating layer except portions of the gate insulating layer where the data wire, the thin film transistor, and pixel electrode are formed.” Shin ‘449 and Taguchi, either singly or in combination, do not teach or suggest at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claims 7 and 10 are allowable over Shin ‘449 in view of Taguchi.

The Examiner admits that Shin ‘449 does not teach this feature and relies on Taguchi to cure this defect. In Taguchi the protection film 51 completely covers drain electrode which is

contrary to the present invention. (See FIG. 19.) Accordingly, claims 7 and 10 are allowable over Shin '449 in view of Taguchi.

The rejection of claims 7 and 9-11 under 35 U.S.C. 103(a) as being unpatentable over Shin '049 in view of Taguchi and further in view of Shin '449 is respectfully traversed and reconsideration is requested. Claims 7, 9, and 10 are allowable over the cited references in that this claim recites a combination of elements including, for example, "a passivation layer covering the data wire and the thin film transistor, except the drain electrode, the passivation layer being covered by the pixel electrode, the passivation layer exposing the gate insulating layer except portions of the gate insulating layer where the data wire, the thin film transistor, and pixel electrode are formed." Shin '049, Taguchi, and Shin '449, either singly or in combination, do not teach or suggest at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claims 7, 9, and 10 are allowable over Shin '049 in view of Taguchi and further in view of Shin '449.

As discussed above, the Examiner admits that Shin '049 also does not teach this feature and relies on Taguchi to cure this defect. As discussed above, in Taguchi the protection film 51 completely covers drain electrode which is contrary to the present invention. (See FIG. 19.) Accordingly, claims 7 and 9-11 are allowable over Shin '049 in view of Taguchi and further in view of Shin '449.

Claims 12-16 are allowable over the art cited in that they recite a combination of elements including, for example, "wherein the pattern defect is opened by removing partially the passivation layer" (claims 12-15) and "the passivation layer at the portion where a pattern defect is disposed being removed to expose the gate insulating layer except portions of the gate insulating layer where the data wire, the thin film transistor, and pixel electrode are formed" (claim 16).

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: September 14, 2004

Respectfully submitted,

By 
Eric J. Nuss

Registration No.: 40,106
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorney for Applicant